

MANDATE

S.D.N.Y. – N.Y.C.
17-cv-1692
13-cr-125
Crotty, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 11th day of September, two thousand eighteen.

Present:

Jon O. Newman,
Dennis Jacobs,
Rosemary S. Pooler,
Circuit Judges.

USDC SDNY
DOCUMENT
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DATE FILED: Nov. 21, 2018

Albert Baldeo,

Plaintiff-Appellant,

v.

18-933

United States of America,

Defendant-Appellee.

Appellant moves for a certificate of appealability. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because Appellant has not “made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c); *see also Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003).

Appellant has waived appellate review of any issues not explicitly argued in his motion. *See Norton v. Sam’s Club*, 145 F.3d 114, 117 (2d Cir. 1998) (indicating that presenting an issue without supporting argument or “merely incorporating by reference an argument presented to the district court” does not preserve the issue for appellate review).

FOR THE COURT:
Catherine O’Hagan Wolfe, Clerk of Court

A True Copy

Catherine O’Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O’Hagan Wolfe

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MANDATE ISSUED ON 11/21/2018